

LETTERS

FROM

HENRY R. JACKSON

TO THE

HON. ALEX. H. STEPHENS.



Savannah:

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(Communication.)

SAVANNAH, NOVEMBER 26th, 1860.

To the Editor of the Morning News:

Sir:—Application has come to me from Macon to write out the remarks which I made in the State House, on the evening of the 14th, in response to Mr. STEPHENS. As his speech has been published, the desire is expressed by some that mine should also be published. It is impossible to recall, at so late a day, in their original sequence, remarks so altogether prompted by the spur of the moment. I have, therefore, determined to place my thoughts, not in the form of a speech, but in the form of a few respectful letters addressed to Mr. STEPHENS, himself. I trust the occasion will do away with the apparent egotism of such a proceeding.

Yours respectfully,

H. R. JACKSON.

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The Crisis--What is Resistance?



LETTER No. I.

HON. A. H. STEPHENS:

Sir:—A public man's name belongs to the public. The use which I make of yours, however, may be specially justified. You were one of a conference of gentlemen who unanimously advised the Legislature to proclaim to the people that "the present crisis in our national affairs demands RESISTANCE." I waste no time in vain regrets that the young hope, born of this action—the hope of a cordial union among our statesmen in defence of our rights—should have been dashed—and dashed so soon—by your hand. The publication of your speech of the 14th instant, doubtless under your own supervision, both in expressions which I do remember, and in expressions which I do not remember, to have fallen from your lips, seems conclusive of the fact that you design to make no sacrifice, either of position or of feeling, for the sake of harmony. When I say that the hope of union has thus been dashed by your hand, I do not underate the influence, whether for good or for mischief, of Gov. JOHNSON, or Mr. HILL. There is a peculiar tenacity of purpose in your character, and a peculiar halo of glory encircling your name, which will make you THE LEADER, wherever you go.

So far as Gov. JOHNSON is concerned, his political identity with yourself is fully established by his letter of the 16th, when taken in sequence with your speech of the 14th inst. In both of these documents the nucleus of the argument lies in the exordium. What follows in each is the nebulous tail diffused by the comet. To the proof, by quotations!

MR. STEPHENS. I do not, on this occasion, intend to enter into the history of the reasons or causes of the embarrassments which press so heavily upon us all at this time. In justice to myself, however, I must barely state upon this point, that I do think much of it depended upon ourselves. The consternation that has come upon the people is the result of a sectional election of a President of the United States, one whose opinions and avowed principles are in antagonism to our interests and rights, and we believe, if carried out, would subvert the Constitution under which we now live. But are we entirely blameless in this matter, my countrymen? I give it to you as my opinion, that but for the policy the Southern people pursued, this fearful result would not have occurred.

Gov. JOHNSON. We are, therefore, indebted to an error of our own, for our signal defeat—it elected Lincoln. Hence, as we are not entirely blameless, it behooves us to temper our exasperation by calm reflection and prudent counsels.

MR. STEPHENS. Had the South stood firmly in the convention at Charleston, on her old platform of principles of non-intervention, there is, in my mind, but little doubt that whoever might have been the candidate of the national democratic party would have been elected by as large a majority as that which elected Mr. Buchanan or Mr. Pierce.

Gov. JOHNSON. If the convention had harmoniously nominated any distinguished democrat, either north or south, upon the Cincinnati Platform, with the Dred Scott decision, I believe he would have been elected. But in the election of Gen. Pierce and Mr. Buchanan, the principle of non-intervention was triumphantly maintained. The departure from that, and the attempt to engraft the doctrine of congressional intervention in favor of slavery in the Territories, were fatal to our cause, and gave the battle to the republicans.

MR. STEPHENS. Therefore, let us not be hasty and rash in our action, especially if the result be attributable at all to ourselves.

Gov. JOHNSON. Hasty action is always unwise; it is superlative folly, when prompted by passion for which our own indiscretion has created the existing occasion.

Who has failed to recognize these guns? Did their booming monopolize the air, who would suppose the canvass at an end? They have thundered forth to the world the true distinction between yourselves and other gentlemen who went into conference with you. We had cut loose from old parties as wrecked and worthless; not so you. We had exorcised party prejudice as beneath the occasion; not so you. We looked singly to a united South, arrayed in resistance to culminating wrong; while you!!—but I remember to have heard it intimated that Mr. Douglas and his friends were fighting, in '60, for triumph in '64. To dissolve "*the Union*" were to dash this hope. To fraternize with "*seceders*" were to spike your guns. Pan-

egyrics upon the Union, and denunciation of the Charleston secession, were naturally found, shoulder to shoulder, in line of battle under the flag of Douglas, which it required no violent strain upon the imagination to see floating above your eloquent form in the Hall of Representatives, at Milledgeville.

Your assumption that the people of Georgia are in a state of "*consternation*," when to others they have appeared never so self-reliant—the coolness with which you profit by this "*consternation*" to hold to their lips the rejected cup of "*Squatter Sovereignty*," after the fashion of the resolute mother re-presenting the nauseous dose to the spanked child—your philosophic deprecation of what is, in truth, but the exhibition of honest resentment, and a so-long-needed energy of action, as "*haste*" and "*rashness*," find fit companionship in your ascription of Lincoln's election to the Charleston secession. It is but natural that the wish with you should be father to the thought. But the triumphant shouts of the Black Republican hosts, who have swept with startling majorities the States of the north and north-west, bear "*confirmation strong as holy writ*" to the existence of a far profounder and a preëxistent cause. They leave you simply to illustrate (using a figure I have used before) that what is true in the physical, may also be true in the moral, world: the object nearest to the eye *will* command it. A school-boy's marble properly placed may eclipse the sun. Believe me, sir, it will be as idle to attempt to persuade the people of Georgia that the Charleston secession caused Lincoln's election, as to endeavor to stay the ground-swell of northern revolution with your pertinacious cry of "*Non-intervention*."

The election has taught us that "*Non-intervention*," as you call it—"*Squatter Sovereignty*," as it is generally called—is not enough for the North, and is quite too much for the South. The admiration—nay, I may say, the love—which you have inspired in the heart of every true Georgian by your unexampled career, will leave no question of your patriotism in continuing to ride with boots and spurs this distanced hobby; your self-reliance is indeed unquestionable. As you bestrode it in the State House, I doubted the truth of a ru-

mor — a floating rumor, which had casually reached my ear — that Messrs. STEPHENS, HILL and JOHNSON were to be the *triumvirate* of a new *party*, a UNION *party*; for I thought of “*the Dudley Letter*,” and “*the Macon Speech*.” But as the Union music of Thursday evening met and mingled in full accord with the Union music of Wednesday evening — as I thought of the famous (?) proposition to *fuse* with Douglas, against whom — *par excellence* — “*the Dudley Letter*” had fulminated “WAR!! *war* in every sense in which the term is defined or definable,” to say that I *doubted* would but feebly portray my condition — *I was bewildered!*

Now, no one will question your right to form a *party* in Georgia, if you please, or to reconfide the rights of the South to a new national *party*, if you can; but I sadly misjudge the temper of the times if the people now listen to the partizan “charmer, charm he never so wisely.” I am confident the future will disclose that the mass of anti-Breck-enridge voters in Georgia voted, not against his *principles*, but against his *party*. Had he been nominated as a southern candidate, upon southern rights, by the seceders at Charleston, he would have swept the State. Our people, for the present, are done with party. Would to heaven that our public men were done with ambition!

I am, sir, respectfully, your obedient servant,

HENRY R. JACKSON.

LETTER No. II.

HON. A. H. STEPHENS:

Sir:— You “frankly, candidly, earnestly tell” your “countrymen” that you do not think “the South ought to secede from the Union in consequence of the election of Mr. Lincoln.” First, because “he has been constitutionally chosen;” secondly, because we cannot “make a point of resistance to his government without becoming breakers of” the Constitution; and thirdly, because the Constitution has not yet been broken by the North. You exclaim:

"To make a point of resistance to the Government, to withdraw from it because a man has been constitutionally elected, puts us in the wrong. We are pledged to maintain the Constitution. Many of us have sworn to support it. Can we, therefore, for the mere election of a man to the Presidency, and that, too, in accordance with the prescribed forms of the Constitution, make a point of resistance to the government, without becoming the breakers of that sacred instrument ourselves? withdraw ourselves from it? Would we not be in the wrong? Whatever fate is to befall this country, let it never be laid to the charge of the people of the South, and especially to the people of Georgia, that we were untrue to our national engagements. Let the fault and the wrong rest upon others. If all our hopes are to be blasted, if the Republic is to go down, let us be found, to the last moment, standing on the deck with the Constitution of the United States waving over our heads. (Applause.) Let the fanatics of the North break the Constitution, if such is their fell purpose. Let the responsibility be upon them."

It seems to me that the question between us is reduced to time. We are both devoted to the Constitution. We are both hostile to its violation. We both connect the thought of violation with "the fanatics of the North." But what you turn doubtingly over as a "*fell purpose*" to the future, I find a fixed fact — "*un fait accompli*," — in the past. If my views be sustained by truth, it is fair to conclude that, as the Constitution "*no longer waves over*" the Union, "*the last moment*" for "*standing on the deck*" has lapsed into history.

The reader of the Constitution need not be reminded that the 1st and 2d sections of Article IV. must be assimilated to treaty stipulations. Before the States had reached this point in framing their compact, they had surrendered each her quota of power to make a CONGRESS, each her quota of power to make an EXECUTIVE, each her quota of power to make a JUDICIARY for the UNION: and, emerging from the shadow of these surrenders into the full light of reserved sovereignty, they were now treating with each other as independent and, it might be in the future, antagonistic, States. It was stipulated between them —

1. That "Full faith and credit shall be given in each State to the public Acts, Records, and Judicial proceedings of every other State."

2. That "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States."

3. That "a person charged in any State with treason, felony or other crime, who shall flee from justice and be found in another State, shall be delivered up on demand," etc.

II.

4. That "no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

The treaty character of these provisions is clear at a glance. It required no legislation on the part of Congress to make them imperative, or to put them in action. Where the Constitution simply confers powers upon Congress, it leaves to Congress some latitude of discretion as to their exercise. Until the power be exerted the law is dormant. Under such clauses, as experience shows, questions both of power and duty may be made. But here the Constitution becomes both fountain-head and stream of the law. Imposing upon all a clear duty, it leaves no room for questions of power. When, in '32, it was proposed to levy a tariff for protection, the question could be fairly discussed as to whether the Constitution *permitted* it. Upon one thing all of the honest must have agreed—the Constitution did not *command* it. But, in '50, when it was proposed to pass the Fugitive Slave Law, in full view of the fact that the States of the north had failed to comply with their treaty obligations, there could be no question raised as to the duty to legislate. Upon one thing all of the honest must have agreed—the Constitution *exacted* it. South Carolina, in her sovereign capacity, could nullify the act protecting manufactures, without dissolving thereby her connection with the Union, because the Constitution is itself the law and essence of the Union, and she could contend that the Constitution itself was assailed by that act. Claiming to defend a Constitutional Union, she did not forfeit her rights in the Union. But when Massachusetts, already recreant to her treaty faith, came to resist in her sovereign capacity the execution within her borders of the Fugitive Slave Law, she declared war against the absolute letter of the Constitution, resumed the sovereignty which she had relinquished to form the Union, and "*ipso facto*," dissolved her connection with it. How can she claim to be in the Union, who, standing outside, has sought to plunge her treasonable blade into the heart of the Union—nay, into the "heart of hearts" of the Union—that concentrated vitality where the Con-

stitution, as the fundamental law, and the Constitution, as a treaty stipulation, meet and mingle the component parts of our national life-blood?

While it is clear that in the stipulation for the rendition of fugitive slaves, Georgia retained, in reference to the subject matter thereof, all of her original sovereignty, it is equally clear that Massachusetts relinquished all of hers, even to setting aside her own laws upon her own soil. And everybody knows that, without this stipulation as a condition precedent, the Constitution would never have been signed by the slaveholding States. Without it, therefore, the Union could never have existed. But a treaty stipulation, with no redress for its violation, is worse than a nullity; not simply dead itself, it corrupts all else with the gangrene of its own putrefaction. This sentence might be profitably expanded to a dissertation; but I press on. This treaty stipulation has been violated — insultingly violated, perseveringly violated — until the very continuance of that violation has come to be cited by way of consecration. The sovereign States have been appealed to — MASSACHUSETTS, the *leader*; she has failed to fulfill it. In the sovereignty of her Legislature, in the sovereignty of her Executive, in the sovereignty of her Judiciary, and last, not least, *in the sovereignty of her people* (about this I shall have more to say,) *she has failed to fulfill it*. Her plighted faith broken, audacity on her part, forbearance on ours, is all that has retained her branded head among the decent communities of the civilized world. From States thus lapsed into the faithlessness of barbarism, we appealed to the UNION. While the Union endured, we were precluded by its Constitution from the last resort of outraged nations; but the Union has failed to enforce the condition precedent to its own existence. Can the Union live when its heart no longer beats? Can the Union live when paralyzed members fail to respond to the nerves of the brain? Can the Union live when its sole remaining function is to bind order to disorder, faith to corruption, States obeying the law to States plunged into anarchy?

Well do you remark, we have “no Emperor, no Dictator.” Our proud civilization looks alone to *law* as RULER. To violate *that* with

impunity is to stab our Cæsar. Loyalty to a man, or to men, the ballast elsewhere steadying the ship of State (you are fond of that figure — *the Ship!*) our adventurous ancestry sank; but, as they gave their young barque to the deep, sublimely they pointed to God instead. Let degenerate heads be bent to the dust at the sound of their voice!

“THE SENATORS AND REPRESENTATIVES BEFORE MENTIONED, AND THE MEMBERS OF THE SEVERAL STATE LEGISLATURES, AND ALL EXECUTIVE AND JUDICIAL OFFICERS, BOTH OF THE UNITED STATES AND OF THE SEVERAL STATES, SHALL BE BOUND BY OATH OR AFFIRMATION TO SUPPORT THIS CONSTITUTION.” — *Constitution of the U. S., Article VI.*

“KEYSTONE, *n.* — The stone on the top or middle of an arch or vault, which being wider at the top than at the bottom, enters like a wedge and binds the work; *properly, the fastening stone.*” — *Webster.*

The OATH!! keystone of our governmental arch, wider towards heaven than towards earth! does it still retain its place? Fact, stronger than sophistry, stronger than names, contemptuous even of genius marvellous as yours, points to the keystone *reversed*, PRACTICALLY REVERSED, wider towards earth than towards heaven, and dragging, in its precipitate descent, the entire arch to the dust. The OATH taken; but the oath VIOLATED. States perjured. Traitors! not to a king, but to the “King of Kings,” “the living God.” Perjury sits in their legislative halls. Perjury speaks from their executive chairs. Perjury presides in their courts of justice. Perjury stalks into the Electoral College, and seeks to make her representative of the HIGHER LAW the sworn ruler of communities of freemen. “*The prescribed forms OF THE CONSTITUTION!!*” Pardon me, sir, but your words sound like a school-boy’s shout on the storm-lashed OCEAN’S shore. Talk not of forms, when the essence is gone. Massachusetts, outside the Union to disobey, cannot be inside the Union to make, a PRESIDENT. An Electoral College, whose elements are themselves false to the Constitution, can make no constitutional President for the Union, when College, President and Union are all mere creatures of the Constitution. The election of Abraham Lincoln will be void. His inauguration the culminating act of audacious treason.

Massachusetts and her perjured sisters can make no ruler for self-respecting freemen. They, not we, have violated law. They, not we, have dissolved the Union. They, not we, are in revolution. We, not they, can look up to God in the brave consciousness of faith fulfilled and duty discharged.

I am, sir, respectfully, your obedient servant,

HENRY R. JACKSON.

LETTER No. III.

HON. A. H. STEPHENS:

Sir:—But you admit that the “Northern States,” in reference to fugitive slaves, “have violated their plighted faith.” Assuredly here “*the fell purpose*” has ripened into the “*fait accompli*.” You propound the question “What is to be done?” and you proceed to answer it thus:

“By the law of nations you would have a right to demand the carrying out of this article of agreement, and I do not see that it should be otherwise with respect to the States of this Union, and in case it be not done, we would by these principles have the right to commit acts of reprisal on these faithless governments, and seize upon their property, or that of their citizens wherever found. The States of this Union stand upon the same footing with foreign nations in this respect. But by the law of nations we are equally bound, before proceeding to violent measures, to set forth our grievances before the offending government, to give them an opportunity to redress the wrong. Has our State yet done this? I think not.

Suppose it were Great Britain that had violated some compact of agreement with the General Government, what would be first done? In that case our Minister would be directed in the first instance to bring the matter to the attention of that government, or a commissioner be sent to that country to open negotiations with her, ask for redress, and it would only be after argument and reason had been exhausted in vain that we would take the last resort of nations. That would be the course towards a foreign government, and towards a member of this Confederacy I would recommend the same course.”

This idea of sending an ambassador to the Court of “Higher Law,” at Boston, to “*cultivate amicable relations*,” after the fashion of the American “*Minister*” at the Court of St. James, is very, very,

VERY odd. Are you sure that you did not mean to send a herald, after the fashion of ancient knighthood, to cast the glove and proclaim the challenge? Diplomacy means society. The diplomatist, whether he sip from Bohemian glass the Rhenish wine in the saloons of the Tuilleries, or convey to vanquished lips the reeking "calumet of peace," passed from one grim mouth to another around the Rocky Mountain council fire, is ever the *Courtier*. "To waft perfume to pride" is his delectable duty. To send a Minister to a foreign Court is to pay a *compliment* — THE FIRST VISIT! — taking all the chances of being "*cut*." I am yet to be persuaded that the *impromptu* answer of Mr. TOOMBS to this queer proposition of yours was not of sufficient dignity to look it full in the eye. Can we insure our diplomatist a decent reception? Suppose he should carry with him his body servant (diplomatsists need body servants) can we be altogether satisfied that he would not be put to hard labor in the penitentiary? And to what law could you appeal to restore the discomfited gentleman to his lost liberty? International law, it is true, does for the diplomatist, what the Legislature did for Dr. H., — though he breathe in Wayne, he lives in Glynn. The diplomatist carries his country with him. Can our envoy Extraordinary carry his Georgia domicil and his Georgia menial to the Court at Boston? And, failing of success, how shall we restore the carpet knight from cell to saloon? I see you speak of "the law of nations." But the Union and the Constitution assumed towards the States the functions of the international law. And Massachusetts, keen to quote as she is dull to obey the law, would *down* upon us with the CONSTITUTION.

"No State shall enter into any treaty."

"No State shall enter into any agreement or compact with another State." — *Constitution*.

Massachusetts cannot "*enter into any agreement*" with Georgia, even though it be to obey the Constitution. The Constitution scorns such obedience as that. To look through the Constitution to the law of Nations, while the Union lasts, is tantamount to looking to the Higher Law. In other words, we surrendered to the Union not

only our sovereign right to make war, but our sovereign right to make treaties; our right to Ambassadors as well as our right to Generals.

And so also our right to "*reprisals*."

"The citizens of each State shall be entitled to all privileges and immunities of citizens of the several States." — *Constitution*.

How can we *confiscate* the property of an innocent citizen of Massachusetts — beyond doubt a friend of ours, since he trusts his rights to our honor — without violating this provision of the Federal Constitution? Can we find justification in the fact that Massachusetts riots herself in lawlessness? The spelling book tells us that "*two wrongs never make a right*." To punish the innocent for the guilty is not just. To impose upon the weak because we have the power is not brave. To commit deeds of violence within our own borders, which we dare not beyond them, were unworthy a magnanimous people. Your icy proposition must melt beneath the warmth of *Christian* civilization. Nay, it needs the element of all civilization — *justice!*

To *imitate* Massachusetts in broken faith is even worse than to *court* her with diplomatists. Rude shocks to good taste and manly sentiment crop up with monstrous absurdities in your logic. You, who in the commencement of your harangue so imploringly invoked obedience to the Constitution, are now found counseling to cure our ills by breaking the Constitution. And what a strange "*grouping*" does your conception prepare for the artist! Two figures, MASSACHUSETTS and GEORGIA; each with one hand laid upon the BIBLE, swearing to support the CONSTITUTION; each with the other hand dashing to pieces the CONSTITUTION, and pelting "*her sister*" with the fragments. Sir, the current of your thought, though it leave you stranded, runs straight to truth. Omnipotent power which thus chains rampant sophistry to her chariot wheels! THE UNION IS ALREADY DISSOLVED, AND BY MASSACHUSETTS. "*Ex uno disce omnes*." By resuming her abdicated sovereignty, MASSACHUSETTS has reclothed GEORGIA with hers. The "UNION," dashed by force from the limbs

of MASSACHUSETTS, without the quiver of a muscle or the thrill of a nerve, falls by its own dissolution from the limbs of GEORGIA. It leaves her where it found her, free and independent; responsible alone, under the laws of God, to "the laws of nations."

I am, sir, respectfully, your obedient servant,

HENRY R. JACKSON.

LETTER No. IV.

HON. A. H. STEPHENS:

Sir:—"Was that thunder?" I exclaimed like ION, when, after proposing "to open negotiations with Massachusetts to ask for redress," you spoke of "argument and reason exhausted," and "the last resort of nations"—"WAR!—*war* in every sense in which that term is defined or definable," as proclaimed by Mr. Hill against Mr. Douglas—*à la Pickwickienne!* Hardy bantling, quoth I, which, though born outside of the Constitution, grows to gigantic proportions beneath the arch of our glorious Union! And yet why not? If we may court Massachusetts with envoys, we have a *right* to fight her with armies.

But it appears that "the last resort of nations," among these "*sui generis*" political societies of ours, is to put another plank in a platform. Your idea is first to let MASSACHUSETTS "*know what our grievances are.*" I am kicked in the street at noon—everybody out, everybody seeing, everybody laughing—I send a negotiator to let my adversary know that he has kicked me. "To make the presentation of our demands, to appeal to their reason and judgment to give us our rights;" *i. e.*, through the agency of a courtly gentleman, of bows, and nods, and "wreathed smiles," skilled "to crook the pregnant hinges of the knee where thrift may follow fawning," to entreat her not to kick us again; upon the assumption, forsooth, that she does not *know*, and has a *right* to be informed, that she

has kicked us. But your whole argument discloses, what is the truth, that she kicks us persistently — that she is kicking us now — that she is kicking us all the time — that she kicks us up-hill — that she kicks us down-dale — kicks us through village — kicks us by farm — kicked us yesterday — kicks us to-day — that she lives to kick us — do we live to be kicked? — that it is the nature of the brute to kick — is it ours to be kicked?

But stranger still, she does not know it. Marvellous somnambulism for the land of burnt witches and wooden nutmegs! "The world's a stage," and upon this stage MASSACHUSETTS and GEORGIA are playing before high heaven their respective parts. MASSACHUSETTS asleep and kicking, GEORGIA awake and being kicked; but, when the intermission of the fever gives room for the ague, turning, so far as the rules of posture for stage effect will permit, *side-long BACKWARDS*, a look of entreaty, and saying, "*in low piping tones*," which nobody believes the sleeper will hear — "Pardon me, prithee, my dear sir, for waking you from your rosy dreams; but you are kicking me, and, unless you desist, I shall be constrained to —— 'put another plank in my platform!'"

I have read and re-read "*the Georgia Platform*." It needs no additional plank. Ten years ago it announced to Massachusetts, to the States, and to the world, the position which Georgia had assumed, and pledged her sacred honor to maintain. Would that every true Georgian had written it down upon the tablets of his memory! The following extracts from it are necessary to my argument:

"The act of 1793, passed in good faith, has long ceased to be effectual. The South, patient under this grievous wrong, and still, with deferred hope, clinging to the Union, was content to demand such additional legislation as would devolve upon federal officers and agents, responsible to federal authorities, the enforcement of her right. The present Congress has responded to this demand in a tardy but full measure of justice. At length, all of practical detail and of penal sanction, necessary to the execution of constitutional law, is to be found in the statute-book. Now is the grand test to be applied whether or not, in this age of advanced civilization, and in this boasted model republic, law is potent for the protection of rights, clearly defined, and solemnly guarantied by a written constitution. If not, the experiment has failed. * * * *

Fifthly. That it is the deliberate opinion of this Convention that upon the faithful execution of the fugitive slave bill by the proper authorities depends the preservation of our much loved Union."

I see that you catch at what Mr. COBB said in reference to our government's being a "*failure*," and a passing remark of Mr. TOOMBS, to which a significance is attached by no means intended; and I learn that, in certain parts of Georgia, it is currently reported that Messrs. COBB, TOOMBS and BARTOW are open advocates of a new system of government — monarchy, despotism — anything but republicanism! How absurd the thought! how unjust to them! how disgraceful to the busy insects of mischief that have buzzed it about through the country! "Standing at noon upon a meadow the ear is filled with the pertinacious buzzing of the insect tribes that monopolize the air; it is because the great cattle are asleep in the shade." A single note from a voice like yours, sir, stirs them up from bush, and down, and nettle; but, when you retire into the shade, you leave them neither your genius nor your sense of personal justice. They, too, can do what you cannot do — misrepresent the words and position of an adversary.

Now, I did not hear the speech of Mr. COBB; but I doubt not that all of us will agree that when he, or Mr. TOOMBS, or Mr. BARTOW, spoke of "*a failure*" of government, he but repeated the thought — in all probability, uttered the language — of "THE GEORGIA PLATFORM." The "grand test has been applied" to "this boasted model republic." For ten years the question has been practically put whether or not "law is potent for the protection of rights, clearly defined and solemnly guarantied by a written constitution." And who will have the hardihood to deny that "the experiment," upon which, in "the deliberate opinion of that convention," "depended the preservation of our much loved Union," has "FAILED!!" Why put a new plank in the Georgia Platform? Has that, too, FAILED? Were it not wiser to infuse old blood into the hearts of some, who, in '50, thought the platform too *submissive* for THEM! and who *now* — should look backward for humility, and upward for manhood!

I am, sir, respectfully, your obedient servant,

HENRY R. JACKSON.

LETTER No. V.

HON. A. H. STEPHENS:

Sir:—The physician makes his *diagnosis* before compounding his cure. The disease we consider is nearly as old as the figure I use. One of its symptoms—but mark you only one—is the broken faith of the North in the non-rendition of fugitive slaves. The Constitution provided for it by solemn stipulation, but failed to effect it. The Act of '93 proposed to compass it through the oath and agency of State officials; again a failure. The Act of '50, marching up our last reserve to the charge, set in motion the arms of Federal power; still, and ever, a *failure*! Now, *why* these failures? We touch at last upon the nucleus of the disease: the people of the north, *as a people*, are so hostile to us and to our institutions, that they will not enforce or obey this vital provision of the Federal compact, it matters not in what form it may be put, or through what agency we may seek to apply it. If ever fact were established by exhausting test it is this. Nothing short of despotic power, with its complicate machinery of bayonet, chain, post and block, will constrain them to fulfill what it gratifies them to brand as "*a covenant with Hell*."

The United States Government has been styled, and even by its founders, an "*experiment*." Not that its founders intended to criticize their own handiwork, (all of us responded to the glowing strains in which you lauded, and are accustomed to laud, the result of their labor) but because, while there was no question as to the fitness of the government for a highly civilized people, there was a question, and a serious question, as to whether the people would be fit for the government. Nay, a still profounder question had been transmitted to them, unanswered from the past, as to the capacity of *any* people to be at the same time socially equalized and politically free. Such a condition, social and political, had never been seen. Slavery had existed in Athens. Slavery had existed in Rome. Despite the theory of their government the aristocracy of Switzerland

have always been among the most arrogant in Europe. France, with a people socially the freest, politically must be enslaved; England, politically free, is socially enslaved; her social castes on land as iron-ribbed as her men-of-war on the sea; and her people, to a man, to a woman, to a child, glorifying both institutions as the especial bulwarks of English grandeur.

He, therefore, who turned to the past for encouragement, could find but little to make him the hopeful founder of a society altogether free. But our ancestry lived close to earth in one thing; closer to heaven in another. They were a simple people, in the first place; generally tillers of the soil. Remote from the centres of political power, they rarely, if ever, heard the hissing of the serpent tempter—ambition. An idea, which the most enthusiastic and most laborious of republican revolutionists in Europe have never been able to grasp, was born with them, in them and of them; to make a people free, in proportion as you approximate to the individual the exercise of the sovereign power, in the same proportion must you remove farther from him all hope of securing a direct personal benefit from the practical operation of government. As free government must govern the mass, and leave the government of the individual to result as a sequence; so free government must benefit the mass—it cannot be turned to individual advancement. Did the historic muse bear them away from the purity of their primeval forests to the Capitoline Hill of degenerate Rome, where the public offices were sold at auction to the highest bidder? and did they apprehend that the time might come when an aldermanic candidate in an American metropolis would pay his thousands for a *sine-salary*, with the view of making his tens of thousands from public peculation? Behold! another muse—muse of a new civilization—muse of

“Sinai’s hill, or Siloa’s brook, that flowed
Fast by the Oracle of God”—

came to re-illuminate hope! The religion of Christ might do for us what despotism alone had been able to do for Europe; take the individual from the cradle, carry him to the grave, and govern him well—thus fitting him to be free.

Now, I pray you, sir, which of the sections of this country has come up to the philosophy, on the one hand, to the hope, on the other, of these grand thoughts? Which of the sections, I ask, appealing to your long political experience and your own profound thought, has been always striving to pervert, and has so rarely failed to pervert, the Federal Government from its simple duty of protecting all, to the corrupting business of feeding, fattening, pampering a community of States, a State, a class, a company, an individual? Let the National Statute Book answer!—in tariff acts, bank acts, bounty acts, land acts, pension acts, nay, in acts public and private innumerable, violating often the letter, always the spirit, of the Constitution; ruining the habits, gangrening the soul of the people; and filling up the Black Republican benches in the Senate and the House, and the lobbies of both, with public plunderers growing more venal, more profligate, more shameless and rampant, as each retiring wave has taken away the few of the honorable left, and each returning wave brings with it more of the blackguards that swarm and spawn, thicker and filthier, in the hideous sea of political corruption at the North.

And, in the meanwhile, what has the Christian religion, with her soul of charity, done to purify these horrific waters? A most significant sign of the times is to be found in the fact that the clergy of this State—men who indeed preach the gospel of the lowly Saviour among us—men of the highest intelligence, the largest experience, the sublimest virtues—some of them, like our sires who made the Constitution and founded the Union, living now in the plentitude of wisdom and of worth near to nature, where the stars seem often to approach the earth—that these men, emphatically as a class, favor separation, immediate, final, eternal, from the “body of death” to which we have been fastened. It were idle to narrate all that has been, all that might be, said in reference to this principle of anti-Christ, which, in upsetting religion, has upheaved the very foundations of free government at the North. There might have been hope, did we behold the monster standing with one foot fixed upon the prostrate CONSTITUTION alone; but whence can come hope when his oth-

er foot, with a pressure equally determined, is sacrilegiously set upon the BIBLE? We know that all government — if government, indeed, mean to govern — is dead at the North. If there be life in Northern society it does not emanate from government. Vitality — social, commercial, fanatical; gregariation, from sympathy, for safety, for plunder, may continue to exist long after government, in its essence, is dead. It reminds one of the serpent's vitality when the head has been crushed. But the *Higher-Law*, with a name as significant as the Greek derivation of the name NAPOLEON — *being-a-lion-going-about-the-destroyer-of-cities* — the HIGHER LAW — *above-all-law-human-and-divine* — and thus the subduer of government, the dictator to Government — “execrable form! if that be form which shape hath none” — as every-body knows, is enthroned, crowned, sceptred, mitred at the North; assimilating the organization of society, and the movements of life, to those fantastical masquerades, where the shocking and the absurd, the hideous and the ridiculous, the terrific and disgusting, are artistically blended to excite the dead nerves of a jaded civilization, in the subterranean “*elysiums*” of European capitals.

With an element like this how can we treat? From a “*treaty*” with its miserable, abject, licentious hand-maid — *Government!* — what can we hope? Lawless in its essence and profligate in all things, how can we permit it to rule us? I would to Heaven, sir, that the strength of your hand could fully respond to the ardor of your soul; that you could keep the ship of state as safely afloat upon the storm-lashed ocean of Northern anarchy, as you kept it gracefully afloat upon the sparkling wave of your oratory before your enraptured audience at Milledgeville! But, alas! sir, I fear that your hand will never be laid upon that helm! I fear that no Southern patriot's hand will ever control it. And I still think the response I made you at the time a good one. “We have, indeed, faithfully clung to the ship; through storm, as well as through sunshine, we have ever clung to the ship; with our treasure and our blood from foreign assault we have defended the ship; but the crew of the ship is debauched; a piratical hand seizes the helm; and, although it may suit the dis-

tinguished gentleman to stand upon her deck, shouting *Constitution!* to the last, men of the South, it is time for us to take to our life-boats!"

I am, sir, respectfully, your obedient servant,

HENRY R. JACKSON.

LETTER No. VI.

HON. A. H. STEPHENS:

Sir: — I am pained by the harsh criticism you pass upon the superficiality of the times in which we live by assuming that any one considers the naked election of LINCOLN sufficient of itself to dissolve the Union. Had that election occurred forty, twenty, nay, perhaps even ten years ago, it might have been silently acquiesced in: for the simple reason that it would not have been effected by the electoral votes of States occupying a position of open rebellion against the fundamental law, and thus disenfranchised of all constitutional right to cast them; nor through the triumph of a party organized upon grounds altogether sectional, and for an object treasonable and revolutionary. It is because of what lies behind it and before it — because of its origin and its objects — the significance of the former, and the vast and overshadowing moment of the latter, that it becomes void and insupportable.

I am aware that our having patiently endured, for a constantly lengthening lapse of time, the perpetration of certain violations of the Constitution is regarded by some as a reason why we should be precluded from resisting them now, when they have reached a culminating point. But I do not know of any statute of limitations in the laws of nations to consecrate political crime; least of all, chronic, continuous crime. And assuredly those who, like yourself, are now conjuring us to "*coolness*," and "*calmness*," can hardly hope to find an argument against us in the patience with which we have borne the wrongs of the past. How, then, can you urge the sim-

ple fact that "*we went into the election with this people,*" as a reason for submitting to their rule? Do you contend that we compromised or forfeited any of our rights? that we justified any of the wrongs committed by them? that we made that constitutional which was before unconstitutional, by the course we pursued? If so, how imperative the duty upon us of relinquishing at once a policy of delay so disastrous to our cause!

We did go into the election with this people; not to recognize, but to war against their aims and principles. We united, heart and hand, with the true, the patriotic, the loyal among them, to defeat the corrupt, the fanatical, the lawless and treacherous. We turned a willing ear to the arguments, entreaties and expostulations of the former, who saw, as we saw, the appalling proportions of the higher-law monster, and who heard, as we heard, in the distance, the crash of their own rights and their own liberties, and of all civilized free government among them, beneath his chariot wheels; and we were disposed to strike one more blow with them and for them, as well as for ourselves.

The thunders of that battle who can forget? Along our lines, throughout the length and breadth of the non-slaveholding States, rang the stirring strains of an eloquence rarely, if ever, surpassed; bearing the appeals of a patient and enduring, yet chivalric and high-spirited people, to those whom they would have been happy to claim as brothers, and were loth, most loth, to recognize as foes. Everywhere was held up, and by hands well fitted to the task, the constitutional shield of our rights and equality—the compact made by our fathers. What response did we meet? The shocking demagoguism, which played the roll of Lieutenant General to the Higher Law, was in all things worthy of the master it so assiduously served. The imagination, at a loss to depict its disgusting deformities, finds a fitting image alone among the figures that are sunk and wallowing in the sloughs and mire of DANTE'S "*Inferno.*" What idea can be conceived more abhorrent to the soul of philanthropy, than the one which has so long dared to insult high Heaven by bearing the name and wearing the stolen garb of Philanthropy; the idea

with which the leader of the Black Republican hosts fired their souls for "the irrepressible conflict" upon which they had entered, to terminate only with the abolition of slavery—that they would begin the fell work by drawing a cordon of free-soil around the institution; restrict it, contract it, throttle it; until, "*like the maddened scorpion, pent up in the ring of fire, it should sting itself to death.*" The slave freed, because no longer of value, but a burden, to his master! Slavery abolished, because no longer able to feed the slave! Conglomeration of horrors fit to gloat the appetite of a very demon in destructiveness! Two races plunged into a common ruin! one, inevitably the black, doomed to annihilation! whole States desolated! the condition of Jamaica reenacted, with an accumulation of terrors which no words can adequately portray!

Whether from instinct, or from policy, or from both, WILLIAM H. SEWARD selected Boston as the point at which to begin his work; Boston as the fountain-head from which to pour out these streams of bitterness and of fire; mindful, doubtless, of the exclamation—which can appeal to the toleration of the most sensitive charity alone upon the assumption that it might have been the raving of incipient insanity, else to be execrated as the voice of a demon—the exclamation of her representative, JOHN QUINCY ADAMS, to Mr. DELLETT, of Alabama, who, after depicting the destruction of the black race as inevitable upon abolition, inquired whether the gentleman was prepared for *that*? YES! FOR THE DESTRUCTION OF MILLIONS THAT THIS FOUL BLOT BE WIPED FROM MY COUNTRY'S ESCUTCHEON!

It was altogether proper, therefore, that the Commander-in-Chief of the Higher Law army should fulminate from the long ago desecrated steps of Faneuil Hall his declaration of war, and announce the grand purpose of the opening campaign!

"In response the enthusiastic cheers of the people, Mr. SEWARD made a speech, from which we make the following impressive and significant extracts. After relating how he had early derived his political principles and sentiments from the Massachusetts school, under the teachings of the immortal 'Sage of Quincy,' he proceeds as follows:

'I know that citizens of Massachusetts, as well as citizens of other States,

have attempted to drive the disciples of that illustrious teacher from their policy. But it is to-night that I am free to confess that whenever any man, wherever he might be found, whether he was of Northern or Southern birth, whether he was of the "solid men of Boston" or of the light men of Mississippi, have assailed me for the maintenance of those doctrines, I have sought to commune with his spirit, and to learn from him whether the thing in which I was engaged was well and worthily done. What a commentary upon the wisdom of man is given in this single fact, *that fifteen years only after the death of John Quincy Adams, the people of the United States, who hurled him from power and from place, are calling to the head of the nation, to the very seat from which he was expelled, Abraham Lincoln*—(enthusiastic cheers)—*whose claim to that seat is, that he confesses the obligation of that higher law*—(applause)—*which the Sage of Quincy proclaimed, and that he avows himself for weal or woe, for life or death, a soldier on the side of freedom in the irrepressible conflict between freedom and slavery.* (Prolonged cheering.) This, gentlemen, is my simple confession. I desire, now, only to say to you that *you have arrived at the last stage to this conflict before you reach the triumph which is to inaugurate this great policy into the government of the United States.* (Cheers.) You will bear yourselves manfully. * * * * * But let not your thoughts or expectations be confined to the present hour. *I tell you, fellow-citizens, that with this victory comes the end of the power of slavery in the United States.* (Cheers.)

What a significant picture was here presented! FANEUIL HALL—temple dedicated to the Higher Law! BOSTON—Capital subjugated by the Higher Law! MASSACHUSETTS—State ruled by the Higher Law! SEWARD—world-recognized apostle of the Higher Law, dedicating LINCOLN, a candidate for the Presidency of the United States, to HER service—"a soldier, for weal or woe, for life or death," in HER ranks; to scale the loftiest peak of the American government and sack the Constitution under her flag—"whose claim to that seat is that he confesses the obligation of that Higher Law!" Sir, can there still be those who having ears hear not? and who having eyes see not, that this new principle of social existence, evolved from the hissing, seething, foaming cauldron of Northern infidelity, philosophy, ambition, cupidity and fanaticism; that this principle of the HIGHER LAW, and not *the rail-splitter Lincoln*, has triumphed in the late elections? that, in an issue as clearly made as issue can ever be made between the old ruler and the new ruler, the Federal Constitution and the Higher Law, the Higher Law has conquered? and that, when Abraham Lincoln takes his seat in the Presidential Chair, he must either prove himself false to the pledges made for

him by the Titan of his cause — pledges which he never withdrew, contradicted or qualified — and pledges, therefore, to which he owes his election, or must “*confess the obligation of that Higher Law,*” with all of its iniquitous abominations in the past, and all of its nefarious schemes for the future? If he be not a wretch, therefore, to be despised and to be spit upon — a wretch, who would have allowed the worst elements of revolution to be upheaved into billows, which no man’s hand can now control, in order to raise his insignificant self to office — with his inauguration comes the inauguration, into the Supreme Executive Chair, of this revolutionary principle — the HIGHER LAW! The Constitution subjugated, a new Union is to be formed; not the Union bequeathed us by our fathers; not the Union which ensures us protection; not the Union to which we owe allegiance; not the Union which can appeal to the loyalty of brave and high-souled men; — but a Union born of treason triumphant; a Union based upon a principle of anarchy; a Union designed to insult and oppress us; a Union which will strike at the heart of our being; a Union which, to our eternal shame, will hand down degradation and ruin to the unborn millions of the coming generations who shall tread the hills and sands bequeathed to us by men — men who could of right bequeath them, because MEN indeed!

Will Georgia lower her neck to the yoke? Will Georgia take her place in *that* Union? God forbid!

I am, sir, respectfully, your obedient servant,

HENRY R. JACKSON.

LETTER No. VII.

HON. A. H. STEPHENS:

Sir: — My argument will have already disclosed the fact that I see no cure for the mischiefs we endure, no shield against the dangers which threaten us, inside the Union. You speak hopefully of a repeal by the Northern States of their “*liberty laws.*” This would

be the mere recantation of a wanton, but otherwise impotent, insult. The Constitution and the fugitive slave laws were quite as ineffectual before, as they have been since, the adoption of liberty laws. To reach the evil you must carry legislation from State House halls into the hearts of the people. You must repeal the prejudices, the envy, the jealousy, the fanaticism of the North—foregone conclusions of two generations; and surely this seems to be impossible.

It were equally idle to attempt the re-establishment of the line of the Missouri Compromise, or the fixation of any new guarantees in a political constitution. The very constitution of society itself, in its brain, in its heart, in its nerves—in its thought, in its passion, in its mesmerism—must undergo a change so radical, sudden and unprecedented, as to place it at once beyond the bounds of hopeful contemplation. When the most solemn and yet the most lucid of compacts, formed by the common fathers of the nation, with the historic associations around it appealing to the noblest sentiments of patriotism, has been but a rope of sand about the limbs of this overgrown, restless, impudent, arrogant, bullying numerical majority of the North, whence shall come the power of any new compact, made in this age of dead patriotism and of living cynicism, to control the huger, fiercer, more arrogant and dangerous monster, the outlines of whose dim form lie “many a rood” upon the shadowy bosom of the future? Compacts call for faith upon one side in return for confidence on the other. The North has proved herself faithless; the South has exhausted her confidence. Compacts call for capacity on the part of the governments that make them to constrain their people to obey them. But the governments of the North, that shall treat with us to-day, will cease to wear even the name of government to-morrow. Nay, the ruling principle is encased at this moment in a morbid, rabid, revolutionary public opinion, which has set all government at defiance; and invokes—if ever that power were invoked—the despotic arm to control it. Whenever that people shall have reached the inevitable climax of revolution, we may be prepared to treat with their master; precisely as we would treat with the Russian Czar, or the Emperor of the French. Either all history lies, or the Northern

people have shown themselves unfit to be free. Either all political philosophy should be consigned to the dust and the mildew of Egyptian-like catacombs, or bloody civil wars, and their legitimate sequence, despotism, will shortly over-shadow the North. Nay, when we reflect upon the career of the man who has been thrown to the lead of the elements of revolution—the powers, the ambition, the self-concentration of the unquestionable *Cataline* of the day, WM. H. SEWARD—does it require any *extra* draft upon the imagination to conceive that even *he* may have reveled in the idea of empire? himself the crowned subduer of the storm his own indefatigable efforts have raised? Viewed in this light, I recognize a logic, detestable though it be, in his life. Viewed in any other, it seems to be divested of the motives and the plans which usually account for the crimes of men who have infamously figured in the public history of nations; and presents but the aimless fury of a madman, or the self-chastising cynicism of a fiend.

The argument is exhausted. The Northern people have turned to their idols. “*Quem deus vult perdere prius dementat.*” Let us turn to the glorious future which awaits us!

And here I must be pardoned for suggesting that there are occasions when prudence means firmness, wisdom means promptness, energy and action mean “*coolness*” and “*calmness*”; when he who lags behind is the man that is excited and trembles; when he who rushes ahead is in the fullest possession of all his faculties, of a “*coolness*” which runs like steel through his nerves, of a “*calmness*” that shall face with composure the king of terrors. Seasons occur in the moral as in the physical world. In the national as well as the individual life there is the time for consultation; of course, it cannot continue forever; and the difference between the time for consultation and the time for action is as great as the difference between “the sweet South wind,” dimpling the lake of Cashmere in May, and the mountains of electricity which, big with heaven’s portentous artillery, come “rattling over the Caspian” in June. “*Consulto, et ubi consulueris, mature facto opus est.*” “I shall always conquer

the Russians," exclaimed the great Napoleon, "for they do not know the value of *seconds*!"

Have we not *consulted*? consulted long, earnestly, faithfully? Has not the case of the North against the South passed through all the various stages of a process of special pleading in English Courts, until it has been reduced to the simple issue of SUBMISSION or RESISTANCE? Do not the following words, uttered by Mr. Calhoun in '48, ring with the full power of truth?

"I turn now to my friends of the South, and ask, what are you prepared to do? If neither the barriers of the Constitution, nor the high sense of right and justice should prove sufficient to protect you, are you prepared to sink down into a state of acknowledged inferiority; to be stripped of your dignity of equals among equals, and be deprived of your equality of rights in this Federal partnership of States? If so, you are wofully degenerated from your sires, and will well deserve to change condition with your slaves; but if not, prepare to meet the issue. The time is at hand, if the question should not be speedily settled, when the South must rise up, and defend herself, or sink down into base and acknowledged inferiority."

And now *why* should we think of *submission*? Is it because we are *afraid*?—because we are unable to defend ourselves? All who heard, or who have read, your speech, must have been delighted to recognize in it the manhood of your nature. It might suit others—it could not be *yours*—to appeal to the principle of *fear*. I doubt not you would cheerfully agree that, if there has been a people on earth capable of independence, they are the people of the slave-holding States—aye, of the cotton-growing States of the South;—capable of independence! capable of freedom! If, in the progress of human events, this continent should share the fate of the other continents of the earth (and why need the thought bring palor to the cheek?) and wars should occur, the teachings of history, and the deductions of reason, will unite to designate ours as the military, and if need be, the conquering race. Does any one smile at the completeness of the assumption?—Let the battle-fields and the names that have already glittered away into history bear witness to the truth! That the peculiar habits and tastes of our people—the life upon horseback—the life with the rifle—the life in the forest—the life upon

the frontier — blood, climate, institution, association, what not? — have distinguished the people of the South as the warlike race of this continent, let all that was most brilliant in the Mexican war, from its earliest to its latest conflicts, triumphantly prove! Let him doubt who may! let him test who dare! the men of the South this day combine, to the greatest extent of any people on earth, the determined heroism of the English soldier, who knows not *how* to fly, with the lightning-like “*élan*” of the French soldier, who never forfeits “*the value of seconds!*” With a just cause, against insolent oppression, and a right-fully detested foe, they must be, they ARE, invincible!

I am sir, respectfully, your obedient servant,

HENRY R. JACKSON.

